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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

AMERICAN CIVIL RIGHTS FOUNDATION,  
a non-profit, public benefit corporation,

Plaintiff,

v.

CITY OF OAKLAND, CALIFORNIA, a  
political subdivision of the State of California,  
and the PORT OF OAKLAND, a public entity,

Defendants.

CASE NO. CV 07-6058 (JCS)

**DECLARATION OF DANNY WAN IN  
SUPPORT OF REQUEST FOR JUDICIAL  
NOTICE IN SUPPORT OF DEFENDANTS'  
MOTION TO DISMISS (FRCP 12(b)(6))**

Date: January 18, 2008  
Time: 9:30 A.M.  
Courtroom: A  
Judge: Hon. Joseph C. Spero

1 I, DANNY WAN, declare as follows:

2 1. I am employed as the Deputy Port Attorney for the Port of Oakland ("Port"). I have  
3 been employed with the Port in this capacity since January, 2005. As the Port's Deputy Attorney, my  
4 responsibility is to provide legal advice to the Board of Port Commissioner, including advice  
5 regarding the Port's disadvantaged business enterprise program and the related financial disclosure  
6 obligations owed to Port bond investors. If called to testify, I could competently testify as to the facts  
7 within this Declaration, based on my personal knowledge.

8 2. I have read the Defendant's Request for Judicial Notice in Support of Motion to  
9 Dismiss the Complaint including the exhibits attached thereto, and I am familiar with those exhibits.

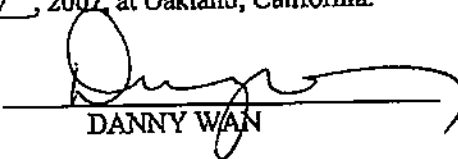
10 3. Attached to that Request for Judicial Notice is a true and correct copy of Port of  
11 Oakland, Budget-Summary, FY 2005-2006.

12 4. Attached to that Request for Judicial Notice is a true and correct copy of Port of  
13 Oakland, Budget-Summary, FY 2006-2007.

14 5. Attached to that Request for Judicial Notice is a true and correct copy of Port of  
15 Oakland, Budget-Summary, FY 2007-2008.

16 6. Those attached budget summaries are true and correct copies of the Port's budget  
17 summaries that are prepared and kept in the normal course of business.

18 I declare under penalty of perjury under the laws of the United States that the foregoing is true  
19 and accurate. Executed on December 12, 2007, at Oakland, California.

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21   
22 DANNY WAN  
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